

## MINUTES AS AMENDED OF REGULAR MEETING OF MAY 20, 2020

The regular meeting of the Frelinghuysen Township Committee was held virtual via zoom virtual meeting service, Township Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, May 20, 2020 and as called to order at 7:30 p.m. by Mayor, Chris Stracco.

### SUNSHINE LAW STATEMENT:

Under the provisions of the Open Public Meetings Act, adequate notice of this meeting was provided by posting notice on the Township bulletin board, Township website and by e mailing notice to the New Jersey Herald and The Express-Times.

**STATEMENT FROM THE MAYOR:** While the meeting will be opened to the public as always, we will not allow comments or questions from the public outside that open period. Also, due to concerns over the **COVID-19** virus we are looking to have the most efficient meeting possible and trying to **address only those matters which require immediate attention. Thank you for your cooperation.**

### FLAG SALUTE

### ROLL CALL:

Those present via zoom were: Mayor Chris Stracco, Deputy Mayor Keith Ramos, Committeeman David Boynton, Committeeman Frank Desiderio, Committeeman Todd McPeek, Attorney Edward Wacks, Attorney Rich Beilin, Auditor Anthony Ardito, Engineer Paul Sterbenz, CFO Danette Dyer, and Municipal Clerk Donna Zilberfarb.

### MINUTES:

1. April 22, 2020 Regular Meeting Minutes were approved on a motion by Mr. Ramos, seconded by Mr. Boynton. All were in favor.
2. May 6, 2020 Special Meeting Minutes were approved on a a motion by Mr. Ramos, seconded by Mr. Boynton. All were in favor.

### ORDINANCES:

#### **#2020-02 ORDINANCE AMENDING THE FRELINGHUYSEN TOWNSHIP CODE TO ADD A NEW SECTION 2-14, ESTABLISHING THE POSITION OF TOWNSHIP ADMINISTRATOR**

WHEREAS, throughout New Jersey, the responsibilities and operations of local government have grown in complexity due not only to increasing development in the State but also due to the ever-increasing rules and regulations set forth by various state and federal agencies; and WHEREAS, in order to provide assistance to the Mayor and Township Committee in ensuring the proper administration of the affairs of the Township, as well as providing for the efficient and effective administration and management of the resources of the Township, it is necessary and appropriate to create the position of Township Administrator and to assign to this position those duties, responsibilities and authority that are necessary to accomplish the proper administration of the affairs of the Township. NOW, THEREFORE, BE IT ORDAINED by the Township of Frelinghuysen, County of Warren, State of New Jersey that the Code of the Township is hereby amended by adding thereto a new Section 2-14, to read as follows:

**Section I** The Frelinghuysen Township Code is amended by adding thereto a new Section 2-14, to read as follows: **SECTION 2-14 TOWNSHIP ADMINISTRATOR**

#### **2-14.1 Township Administrator, Creation of Position; Term**

A. Pursuant to N.J.S.A. 40A:9-136 et seq., there is hereby created the Office of Township Administrator, to perform those duties as set forth in the statutes of the State of New Jersey and this Section 2-14. Compensation for the position of Township Administrator shall be as fixed in the Township Salary Ordinance.

B. The Township Administrator shall serve at the pleasure of the Township Committee and may be removed or replaced at any time according to the methods and requirements of N.J.S.A. 40A:9-138.

#### **2-14.2 Appointment; Vacancy**

A. The Township Administrator shall be appointed by a majority vote of the Township Committee. The said appointment shall be made within 120 days after this ordinance becomes effective.

B. Any vacancy which may occur in the said position, whether the same occurs by death, resignation, or otherwise, shall be filled in the same manner. The 120-day period shall be computed from the day the vacancy occurs. A vacancy shall be deemed to commence upon the cessation of duties of the duly appointed Township Administrator.

### **2-14.3 Removal**

Pursuant to N.J.S.A. 40A:9-138, the Township Administrator may be removed by a 2/3 vote of the Mayor and Township Committee. The resolution of removal shall become effective 3 months after its adoption by the Mayor and Township Committee. However, the Mayor and Township Committee may provide that the resolution shall have immediate effect, in which case, the Administrator shall be paid forthwith any unpaid balance of his or her salary and benefits and his or her salary and benefits for the next 3 calendar months following adoption of the Resolution.

### **2-14.4 Political Activity**

The Township Administrator shall not engage in any political activity, nor make any financial or other contributions to any local political campaign, nor lobby the elected officials of the Township on behalf of a political party or campaign. Nothing contained herein shall be deemed to prohibit the Township Administrator from providing recommendations to the elected officials of the Township on issues of concern to the Township or from appearing before any other governmental body on behalf of the Township when authorized or directed to do so.

### **2-14.5 General Powers and Responsibilities**

The Administrator shall, under the supervision and control of the Mayor and Township Committee:

- A. Serve as the principal administrative officer representing the Mayor and Township Committee;
- B. Attend all meetings of the Township Committee;
- C. Upon consultation with the Chief Financial Officer, keep the Township Committee informed of the financial condition of the Township, make such reports thereon as required, and annually prepare a comprehensive report on the condition of the Township;
- D. Study the administrative and other operations of the Township and make recommendations for plans and programs to meet the needs of the Township;
- E. Receive and reply to inquiries concerning Township business and provide information and assistance in respect thereto, and
- F. Perform any other powers and duties as may from time to time be assigned by the Mayor and Township Committee.

### **2-14.6 Administrative Duties**

The Township Administrator, to the extent not prohibited by law, shall:

- A. Supervise the business administration of all departments and offices, subject to supervision and direction of the respective Township Committee chairpersons;
- B. Maintain close liaison with department heads and advise the Mayor and Township Committee of operations and projects in progress;
- C. Establish and maintain sound personnel practices and maintain appropriate records of all employees;
- D. Maintain a continuing review of all department and office operations and, with the assistance of the Chief Financial Officer, their expenditures, and report thereon to the Mayor and Township Committee;
- E. Coordinate intradepartmental operations and manage the daily operation of the Township Municipal Building by coordinating and supervising the municipal staff on duty, and
- F. Perform such other duties as may be assigned by the Mayor and Township Committee, in the Township Personnel Manual.

### **2-14.7 Budgeting.**

The Township Administrator shall:

- A. Receive from each department, office or board its annual requests for appropriations and prepare in conjunction with the Chief Financial Officer the tentative budget, transmitting the appropriation request and tentative budget with recommendations and comments to the Township Committee not later than December 15 of each year;
- B. Consult with the Mayor and Township Committee and Chief Financial Officer with respect to the tentative budget, recording changes, additions and deletions thereto, and make all reasonable efforts to submit by February 15 the tentative budget in the form required by law, together with an analysis of the various items of expenditure and revenue and such explanatory comments as may be required; and

C. In conjunction with the Chief Financial Officer, provide the Township Committee with a year-to-date summary of expenditures versus appropriations at each monthly Township Committee meeting.

**Section II**

1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

3. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST:

DONNA ZILBERFARB, Clerk

TOWNSHIP OF FRELINGHUYSEN

CHRISTOPHER STRACCO, Mayor

**NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on January 15, 2020 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on May 20, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Boynton to open to first reading and introduction, seconded by Mr. Ramos. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Motion was made by Mr. Boynton to open for 2nd reading for adoption, seconded by Mr. Stracco. All were in favor. Motion was made by Mr. Ramos to open to the public, seconded by Mr. Boynton. All were in favor. Public comment: Debra Natyzak asked how this came about. Mr. Stracco explained that it is basically to formalize what the current clerk does above her duties. Most municipalities have a business administrator who acts as a bueracrat which is what she already does and would formalize what is already currently in place. Mr. Kohuth asked about set hours, salary and stated that nothing is laid out and doesn't set any ground rules. Mr. Kohuth does not see the need for a business administrator at this time. Mr. Wacks explained that the clerk position is a statutory position and is led that way and that would continue to function as the clerk and also do other extra duties that she's already currently doing. The salary is in the salary ordinance. Explained that legal counsel looked at 5 different municipalities and legitimized what she does on a daily basis. Motion was made by Mr. Ramos to close to the public, seconded by Mr. Boynton. All were in favor. Committee discussion: Mr. Ramos felt some responsibilities were not an administrator but the CFO and would like them removed. Mr. Stracco suggested adding more specific parameters in the Ordinance. Mr. Boynton made a motion to carry to the work session meeting to discuss further and carry to March 18, 2020 for adoption, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Mr. Wacks asked that once review is complete to send to him to make sure any changes are not significant to make readvertising necessary. Ms. Zilberfarb will send any and all changes to Mr. Wacks after the work session meeting. Motion was made to carry ordinance indefinitely by Mr. Desiderio, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

**#2020-03 ORDINANCE AMENDING SECTION 2-27, ET SEQ. OF THE FRELINGHUYSEN TOWNSHIP CODE, CONCERNING THE RECREATION COMMITTEE** WHEREAS, Section 2-27 of the Frelinghuysen Township Code sets forth, among other things, the membership, duties and responsibilities of the Frelinghuysen Township Recreation Committee; and WHEREAS, it is in the best interests of the Township and its residents to revise these provisions, to modify and clarify the membership, duties and responsibilities of the Recreation Committee as set forth below. NOW THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen as follows: **Section I** 1. Section 2-27 of the Frelinghuysen Township Code is amended to read as follows: **2-27 RECREATION COMMITTEE**  
**2-27.1 ESTABLISHMENT.** There is hereby established in the Township a Recreation Committee which shall have the duties and powers hereinafter more particularly set forth, the members of which shall be appointed by the Township Committee in accordance with the provisions of this section.  
**2-27.2 MEMBERSHIP; VOLUNTEER** a. The Recreation Committee shall be comprised of not less than five (5) nor more than seven (7) members, who shall be citizens and residents of the Township of Frelinghuysen. All appointments shall be for a term of three (3) years and all vacancies shall be filled for the unexpired term only. One member of the Township Committee, appointed by the Mayor, shall serve as an ex-officio member of the Recreation Committee, but shall have no vote unless he/she also be formally appointed as a member of the Recreation Committee. The Township Committee may appoint up to two (2) alternate members who shall be designated as "Alternate No.

1," and "Alternate No. 2." Of the alternates first appointed, Alternate No. 1 shall be appointed for a two-year term, and Alternate No. 2 shall be appointed for a one-year term. Alternate members may participate in discussions but shall not vote except in the absence or disqualification of a regular member. In the event that an alternate member is permitted to vote, he/she shall vote in the following order: Alternate No. 1, and then Alternate No. 2. b. In the event that any member or alternate member fails to attend three (3) consecutive meetings without being excused by a majority of the authorized members, the seat of that member or alternate member shall be deemed vacant effective immediately. c. In order to foster community participation in the Township's recreational activities and to encourage citizens to participate in the planning, coordinating and management of said activities, the Frelinghuysen Township Recreation Committee may, at its discretion, annually assign volunteers to help to participate in the planning, coordinating and management of said approved activities, Any volunteers assigned under this subsection shall be permitted to participate in discussions that pertain to said activity, but may not vote and will not be considered members of the Recreation Committee. The term of an assigned volunteer under this subsection shall expire ten (10) days after said activity is completed.

**2-27.3 RELATIONSHIP TO THE TOWNSHIP OF FRELINGHUYSEN.** a. The Township Committee shall cooperate with the Recreation Committee to coordinate recreational activities in the Township in order to plan a balanced recreation program for the citizens of the township and in order to provide maximum use of recreational facilities. b. The Recreation Committee here established shall not be or be deemed to be a Recreation Commission pursuant to N.J.S.A. 40:12-1et seq. and shall not have the power or authority to purchase land or hold title to any real property. c. The Township Committee shall annually appropriate in its budget, funds that may be used by the Recreation Committee to provide for a balanced recreation program. The Recreation Committee may accept additional financial support from fees, gifts, donations or other sources. d. Neither the Recreation Committee, nor any member or members thereof, shall have any power or right, express or implied, to bind or obligate the Township of Frelinghuysen or the Township Committee directly or indirectly.

**2-27.4 DUTIES OF THE RECREATION COMMITTEE.** The primary purpose of the Recreation Committee shall be to provide advice to the Township Committee with respect to the initiation and coordination of recreational programs for the citizens of the Township. In addition, the Recreation Committee shall perform such other duties as the Township Committee may prescribe to it concerning recreation within the Township.

**2-27.5 ORGANIZATION OF THE RECREATION COMMITTEE:** The Recreation Committee may organize as it sees fit, choosing a Chairman from among its members, and such other officers as it may deem advisable; adopt rules and by-laws for the proper administration of its functions; and formulate committees for the administration and handling of its programs.

**2-27.6 ORGANIZATION; RECORDS** a. The Recreation Committee shall organize within thirty (30) days after the appointment of its total membership for the remainder of the current calendar year, and thereafter, annually, during the first nine (9) days of January, by the selection of one of its members as Chairman, one as Vice Chairman and one as Secretary/Treasurer. Such officers shall perform the duties usually associated with such offices. They shall keep minutes of its meetings, as well as complete and detailed records of its activities, and certified copies of the minutes and records of its activities shall be submitted to the Township Committee for filing with the body. b. The Frelinghuysen Mayor, Deputy Mayor and Township appointed Liaison cannot serve as Chairman, Vice Chairman or Secretary/Treasurer. Only upon the occurrence of a temporary vacancy of Chairman, Vice Chairman and or Secretary/Treasurer shall any elected Frelinghuysen Township official be allowed to fill said positions on a temporary basis with the approval of The Frelinghuysen Township Committee.

**2-26.7 ACTIVITIES TO RAISE FUNDS** In order to provide funds, in whole or in part, necessary to improve, maintain and police the playgrounds or recreation places within the Township, the Recreation Committee may arrange and provide for the giving of outdoor exhibitions, concerts, games and contests and may use and employ such playgrounds or recreation places for the purpose of giving thereon outdoor exhibitions, concerts, games and contests. It may charge and collect a reasonable admission fee therefor. All funds raised by the Recreation Committee shall be accounted for, and placed in a special Township fund or account. These funds shall only be spent in connection with the duties and activities of the Recreation Committee as hereinbefore defined.

**2-26.8 BOOSTER CLUB; SPONSORSHIPS COMMITTEE(S); ATHLETIC/RECREATIONAL ORGANIZATIONS** a. Outside entities such as but not limited to booster clubs, sponsorship committees, and athletic/recreational organizations that are looking to support, fund, promote or participate in conjunction with The Frelinghuysen Recreation Committee, its programs and or events are subject to approval. Prior to any such approval being granted, any such group seeking approval shall provide the Recreation Committee with the following for review: (i) the group's bylaws; (ii) proof of liability insurance in a form and amount satisfactory to the Recreation Committee, which insurance shall be maintained in full force and effect; (iii) proof that such group is a 501(c)(3) organization under the Internal Revenue Code, is organized so that all donations are deductible from federal income taxation, and is duly incorporated under the laws of the State of New Jersey, which statuses shall be maintained in full force and effect; b. No member of the Frelinghuysen Township Committee or Recreation Committee shall be a member of any booster club, sponsorship committee, athletic/recreational organization or like

organization that is looking to support, fund, promote or participate in any Recreation Committee program or event. c. Any equipment or other items purchased or obtained by any such group for use at Frelinghuysen Township facilities shall be deemed to have been donated by such group to the Township of Frelinghuysen. d. Copies of any documents filed by such group with the federal or state government shall be provided to the Recreation Committee at the time of filing. e. Any programs and/or events in support of The Frelinghuysen Recreation Committee must be approved, in writing, by The Frelinghuysen Recreation Committee. f. All notices, marketing materials and/or advertising in support of, or participating with Frelinghuysen Recreation Committee, and its programs and/or events, must be approved, in writing, by The Frelinghuysen Recreation Committee. **2-26.9 RYDELL FIELD; BEAR CREEK GREENWAY; FFP NORTH; RULES REGULATIONS;** a. The Recreation Committee shall have control over Rydell Field and the recreation fields and facilities associated with the Bear Creek Greenway, and control of any recreation fields or facilities for active recreation use which is designated and approved in the Forestry and Use Plan for the FFP North adopted by the Township, and may adopt such suitable rules, regulations and bylaws for the scheduling and use of same as it may deem necessary, subject to the review and approval of the Township Committee. The Township Committee retains the ability to schedule maintenance fees, and control over all areas not used for active recreation purposes set forth above. b. For these purposes the term "active recreation" means and is intended to include any organized recreational activity. c. For these purposes the term "passive recreation" includes recreation activities that are usually quiet and not rigorously athletic, and have a low impact on the surrounding environment. These activities may include walking, hiking, fishing, bird watching, and quiet picnicking. Parks that provide passive recreation may include trails, public gardens or memorial parks, open areas, and picnic areas. Passive recreation parks tend to be larger than active recreation facilities and may have natural or scenic significance, containing a stream, woodland, or historically significant resource. County or State facilities are primarily designed for passive recreation and may require a further distance to travel. Examples include: astronomy, bird/wildlife observation, kite flying, group meetings, conservation activities, hiking, trail walking, open air theatre, orienteering, photography, picnics, and indoor meetings. d. All control of hunting, fishing or trapping is reserved exclusively or the Township Committee. **2-27.10 PERSONNEL** Subject to the approval of the Township Committee, the Recreation Committee may hire custodians, supervisors and assistants for the purpose of preserving order and observance of its rules, regulations and bylaws at the facilities under its full control. **2-27.11 VIOLATIONS AND PENALTIES:** Any person violating any provisions of this section or violating any of the rules and regulations or bylaws of the Township Committee or Recreation Committee shall be subject to penalties as follows: a. For a first offense: A fine in the amount of two hundred (\$200.00) dollars, and, in the discretion of the Judge of the Municipal Court before whom the cause shall be heard, imprisonment for a period of thirty (30) days; b. For a second offense: A fine in the amount of five hundred (\$500.00) dollars, and, in the discretion of the Judge of the Municipal Court before whom the cause shall be heard, imprisonment for a period of thirty (30) days; c. For at third or additional offense: For a first offense: A fine in the amount of one thousand (\$1,000.00) dollars, and, in the discretion of the Judge of the Municipal Court before whom the cause shall be heard, imprisonment for a period of thirty (30) days. Each day that a violation is permitted to exist shall constitute a separate offense. **Section II** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on February 19, 2020 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on March 18, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Mr. Desiderio asked when discussion was made for these changes. Mr. Stracco told him there was no discussion and this is first reading and discussion will be at the adoption. Motion was made by Mr. Boynton to open to first reading/introduction, seconded by Mr. Ramos. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Motion was made to open for second reading for adoption by Mr. Ramos, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Motion was made by Mr. Boynton to open to the public, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. There was no public comment. Motion was made by Mr. Boynton to close to the public, seconded by Mr. Ramos. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Motion was made by Mr. Desiderio to approve for adoption, seconded by Mr.

Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

**#2020-04 FRELINGHUYSEN  
TOWNSHIP SALARY RANGE  
ORDINANCE**

AN ORDINANCE OF THE TOWNSHIP OF FRELINGHUYSEN ESTABLISHING SALARY RANGES FOR EMPLOYEES AND OFFICERS

CERTIFICATION

BE IT ORDAINED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren and State of New Jersey,

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen

that the annual, monthly or hourly salary ranges of the elected officials, appointees and employees of the Township of Frelinghuysen,

Township Committee held on March 18, 2020 and will be considered for final reading and adoption at a meeting of the Mayor and Township

effective January 1, 2020 shall be as follows:

Committee to be held on April 22, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all

TITLE:	MINIMUM	MAXIMUM	
MAYOR	\$3,000.00	\$5,000.00	ANNUAL
TOWNSHIP COMMITTEE MEMBERS	\$3,000.00	\$5,000.00	ANNUAL
TOWNSHIP ADMINISTRATOR	\$5,000.00	\$20,000.00	ANNUAL
MUNICIPAL CLERK	\$50,000.00	\$90,000.00	ANNUAL
ASSESSMENT SEARCH OFFICER	\$2,000.00	\$5,000.00	ANNUAL
PART TIME CLERICAL HELP	\$11.00	\$20.00	PER HOUR
TAX COLLECTOR	\$15,000.00	\$30,000.00	ANNUAL
TAX ASSESSOR	\$15,000.00	\$40,000.00	ANNUAL
CHIEF FINANCIAL OFFICER	\$15,000.00	\$30,000.00	ANNUAL
QUALIFIED PURCHASING AGENT	\$1,000.00	\$5,000.00	ANNUAL
BOARD OF HEALTH MEMBERS	\$25.00	\$50.00	ANNUAL
BOARD OF HEALTH SECRETARY	\$50,000.00	\$1,500.00	ANNUAL
ANIMAL CONTROL OFFICER	\$5,000.00	\$15,000.00	ANNUAL
OPEN SPACE SECRETARY	\$25,000.00	\$2,000.00	ANNUAL
FARMLAND PRESERVATION SECRETARY	\$25,000.00	\$2,000.00	ANNUAL

Donna Zilberfarb,  
Municipal Clerk

NOTICE

Notice is hereby given that the foregoing Ordinance was adopted at a meeting of the Frelinghuysen Township Committee on April 22, 2020.

Donna Zilberfarb,  
Municipal Clerk

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CLEAN COMMUNITIES	0.0	00.0	NU
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RECYCLING COORDINATOR	0	0	AL
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FORESTRY MANAGEMENT	0.0	00.0	NU
SECRETARY	0	0	AL
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ENVIRONMENTAL COMM	0.0	00.0	NU
SECRETARY	0	0	AL
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HISTORIC PRESERVATION	0.0	00.0	NU
SECRETARY	0	0	AL
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RECREATION SECRETARY	0	0	AL
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EMERGENCY MANAGEMENT	000	00.0	NU
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DEPUTY EMERGENCY MGT	000	00.0	NU
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DPW ASSISTANT ROAD FOREMAN	\$20.00	to	\$50.00	PE R HO UR
DPW OPERATOR/LABORER	\$18.00	to	\$30.00	PE R HO UR
TEMPORARY DPW LABORER	\$11.00	to	\$20.00	PE R HO UR
TEMPORARY DPW EQUIPMENT OPERATOR WITH CDL	\$25.00	to	\$35.00	PE R HO UR
TEMPORARY DPW EQUIPMENT OPERATOR WITHOUT CDL	\$20.00	to	\$30.00	PE R HO UR
SAFETY DIRECTOR	\$1,500.00	to	\$3,000.00	AN NU AL
MANAGER OF PUBLIC LANDS	\$50,000.00	to	\$3,000.00	AN NU AL
ASSISTANT MANAGER OF PUBLIC LANDS	\$50,000.00	to	\$3,000.00	AN NU AL

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final adoption and publication pursuant to law.

CERTIFICATION

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen

Township Committee held on March 18, 2020 and will be considered for final reading and adoption at a meeting of the Mayor and Township

Committee to be held on April 22, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all

interested parties may appear for or against the passage of said Ordinance.

Motion was made by Mr. Boynton to open to first reading/introduction, seconded by Mr. Ramos. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-absent; Mr. Ramos-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 22, 2020. Second reading was readvertised to May 20, 2020. Motion was made by Mr. Ramos to open for second reading for adoption, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Motion was made by Mr. Boynton to open to the public, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. No public comment. Motion was made by Mr. Boynton to close to the public, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Motion was made by Mr. Desiderio to approve for adoption, seconded by Mr. Ramos. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

**#2020-05 BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF RELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$277,750 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$130,000) AND AUTHORIZING THE ISSUANCE OF \$140,250, BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the



Township of Frelinghuysen, in the County of Warren, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$277,750, said sum being inclusive of a grant expected to be received from the New Jersey Department of Transportation in the amount of \$130,000 (the "Grant") and a down payment in the amount of \$7,500 now available for a portion of said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. Pursuant to N.J.S.A. 40A:2-11(c) of the Local Bond Law, no down payment is required for a portion of the improvements or purposes set forth in Section 3 hereof, as a \$130,000 portion of the costs of such improvements or purposes is expected to be funded by the Grant. SECTION 2.

For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$277,750 appropriation not provided for by the Grant or said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$140,250 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$140,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued is for the 2020 Capital Improvement Program, which includes, but is not limited to: (i) the acquisition of miscellaneous fire and related equipment for use by the Green Township Fire Department; (ii) the acquisition of turnout gear for use by the Blairstown Fire Department; (iii) the acquisition of self-contained breathing apparatus (scba) bottles and a Task Force Tips Blitzfire portable monitor for use by the Hope Fire Department; (iv) the resurfacing of Greendell Road within the Township and various repairs and improvements related thereto, all as part of the Greendell Road Resurfacing Project (a \$130,000 portion of such improvements being funded by the Grant); (v) the acquisition of street signs, plows, a sander, a wood chipper and miscellaneous tools for use by the Department of Public Works; (vi) the acquisition and installation of miscellaneous office furniture for use in the town hall; and (vii) various improvements and upgrades to the Recreational Field, including, but not limited to, the ball field (backstops/fencing, etc.). Such improvements or purposes shall also include, as applicable, all engineering and design work, surveying, construction management services, preparation of plans and specifications, permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans therefor on file in the office of the Township Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$140,250.

(c) The estimated cost of said improvements or purposes is \$277,750, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefore being the amount of \$137,500, which amount is comprised of the down payment available for said improvements or purposes in the amount of \$7,500 and the Grant in the amount of \$130,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Warren make a contribution or grant in aid to the Township for the improvements or purposes authorized hereby which is in addition to the Grant and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Township. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Township upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in

accordance with the provisions of the Local Bond Law. The Chief Financial Officer of the Township is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Township is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser. SECTION 6.

The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Township and will be available for public inspection. SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.65 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$140,250 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described. SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount. SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the

Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$140,250. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2). SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance. SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law. Motion was made by Mr. Boynton to open to first reading/introduction, seconded by Mr. Desiderio. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-absent; Mr. Ramos-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 22, 2020. Second reading for adoption will be held on May 20, 2020 at the Township Committee regular meeting. Motion was made by Mr. Ramos to withdrawal ordinance 2020-05, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes, Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. \*\*Mr. Stracco explained that with the uncertainty of the NJDOT grant funding for this year, a new ordinance will be introduced to reflect that the township will be borrowing monies for that project and will be repaid upon NJDOT reimbursement, he also discussed that with all the uncertainty of the times we should save monies wherever possible and explained that the chipper would not be purchased this year. Mr. Ardito agreed.

**#2020-06 ORDINANCE ESTABLISHING ALTERNATE CLAIM PAYMENT PROCEDURES DURING TIMES OF PUBLIC EMERGENCY** WHEREAS, N.J.S.A. 40A:5-17 establishes procedures local units must follow for payment of claims, and requires governing bodies to approve all claims prior to payment, unless the local unit adopts other procedures that permit payment without governing body approval; and WHEREAS, a municipality may establish such other procedures by ordinance, provided that the requirements of the said statute are met; and WHEREAS, the public state of emergency presented by COVID-19 has shown that it is necessary and appropriate to establish such procedures so that in the event of a state of emergency, the Township of Frelinghuysen can meet its obligations, while assuring proper review of the Township's bills. NOW, THEREFORE, BE IT ORDAINED by the Township of Frelinghuysen, County of Warren, State of New Jersey that the Code of the Township is hereby amended by adding thereto a new Section 2-9, to read as follows: **Section I** The Frelinghuysen Township Code is amended by adding thereto a new Section 2-9, to read as follows:

**2-9 Payment Of Claims During State of Emergency** Pursuant to N.J.S.A. 40A:5-17, the following procedure may be followed for the payment of claims during the term of a state of local disaster emergency proclaimed by the Township Emergency Management Coordinator: a. Each claim, payment of which is due before the next scheduled meeting of the Township Committee, shall be reviewed, and if appropriate approved for payment by the members of the Finance Committee, who shall be designated as the certifying and approval officers pursuant to N.J.S.A. 40A:5-17. No claim shall be approved unless it is accompanied by the appropriate voucher signed by the vendor, together with any other necessary supporting documentation. b. The Finance Committee, in approving same, shall certify to the Township Committee that the work that is the subject of the voucher has been performed or the product has been approved by the Township, and that based on information from the Chief Financial Officer, there are sufficient funds for payment as well as legal authorization to pay same. c. As long as the procedure set forth in this Section is compliant, the Township Committee shall ratify the payment of any approved claims at its next meeting. **Section II** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST:

TOWNSHIP OF FRELINGHUYSEN

**NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on April 22, 2020 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on May 20, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Desiderio to open for first reading for introduction, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. The second reading for adoption will take place on May 20, 2020 at the next regular scheduled township committee meeting. Motion was made by Mr. McPeek to open for second reading for adoption, seconded by Mr. Boynton. All in favor – aye. Motion was made by Mr. Boynton to open to the public, seconded by Mr. McPeek. No public comment. Motion was made by Mr. Boynton to close to the public, seconded by Mr. McPeek. All were in favor. Motion was made by Mr. Desiderio to approve for second reading for adoption, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

**#2020-07 AN ORDINANCE AMENDING THE LAND DEVELOPMENT CHAPTER OF THE CODE OF THE TOWNSHIP OF FRELINGHUYSEN TO ADOPT A NEW ZONING MAP**

**WHEREAS**, the Frelinghuysen Township Mayor and Committee adopted Ordinances in 2013 and 2016 to eliminate the Professional Office Zone and replace it with the Neighborhood Commercial Zone, additionally, the Neighborhood Commercial Zone was expanded along Route 94, however, the Zoning Map was never amended to reflect said changes; and **WHEREAS**, the Mayor and Committee wish to revise the Township Zoning Map to reflect the 2013 and 2016 zone changes. **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: Section I Amend the Land Development Ordinance to replace Attachment 11 entitled “Zoning Map” with the attached Zoning Map. Section II Amend the Land Development Ordinance, Section 303 entitled “Zoning Map and Critical Areas Map” as follows with new text underlined and text for deletion in ~~strikeout~~: **§ LDO-303 ZONING MAP AND CRITICAL AREAS MAP.** The boundaries of said zoning districts are hereby established as shown on the Zoning Map, Township of Frelinghuysen, dated November 19, 2003 and revised through ~~December 19, 2005~~ April 2020, and revised by ~~Ordinance No. 2013-09, adopted June 19, 2013,~~ which, with all explanatory matter thereon, is hereby adopted and made a part of the Ordinance. An official copy of said Map, indicating the latest amendments, shall be kept up-to-date in the office of the Construction Official for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map shall be the official reference as to the current zoning classification of land within the boundaries of the Township of Frelinghuysen. Section III Amend the Land Development Ordinance, Section 305 entitled “Zoning Map Amendments” as follows with new text underlined and text for deletion in ~~strikeout~~: **§ LDO-305 ZONING MAP AMENDMENTS.** The Township of Frelinghuysen Zoning Map, dated April 2020, incorporates all amendments to date. The Zoning Map can be found under Attachment 11. is amended as follows: ~~A. Pursuant to Ordinance No. 2013-09, adopted June 19, 2013: 1. The "PO" Professional Office Zone is hereby eliminated. 2. All lands formerly in the "PO" Professional Office Zone shall now be included in the "NC" Neighborhood Commercial Zone. B. Pursuant to Resolution No. 2016-135 adopted December 21, 2016, the NC Commercial Zone along Route 94 is expanded to encompass both sides of Route 94 from the Fredon Township border to Kerr Road, as shown in the 2016 Master Plan Reexamination, p. 30.~~ Section IV

1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.
2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.
3. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST:  
DONNA ZILBERFARB, Clerk

TOWNSHIP OF FRELINGHUYSEN  
CHRIS STRACCO, Mayor

**NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on April 22, 2020 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on May 20, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. DONNA ZILBERFARB, Clerk Motion was made by Mr. Boynton to open for first reading for introduction, seconded by Mr. Desiderio. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Motion was made by Mr. Ramos to open for second reading for adoption, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Boynton to open to the public, seconded by Mr. McPeek. All were in favor. There was no public comment. Motion was made by Mr. Boynton to close to the public, seconded by Mr. Ramos. All were in favor. Motion was made by Mr. Desiderio to approve for adoption, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

**2020-08 BOND ORDINANCE BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$230,750 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$219,210 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Frelinghuysen, in the County of Warren, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$230,750, said sum being inclusive of a down payment in the amount of \$11,540 now available for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$230,750 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$219,210 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$219,210 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued is for the 2020 Capital Improvement Program, which includes, but is not limited to: (i) the acquisition of miscellaneous fire and related equipment for use by the Green Township Fire Department; (ii) the acquisition of turnout gear for use by the Blairstown Fire Department; (iii) the acquisition of self-contained breathing apparatus (scba) bottles and a Task Force Tips Blitzfire portable monitor for use by the Hope Fire Department; (iv) the resurfacing of Greendell Road within the Township and various repairs and improvements related thereto, all as part of the Greendell Road Resurfacing Project; (v) the acquisition of street signs, plows, a sander and miscellaneous tools for use by the Department of Public Works; (vi) the acquisition and installation of miscellaneous office furniture for use in the town hall; and (vii) various improvements and upgrades to the Recreational Field, including, but not limited to, the ball field (backstops/fencing, etc.). Such improvements or purposes shall also include, as applicable, all engineering and design work, surveying, construction management services, preparation of plans and specifications, permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans therefor on file in the office of the Township Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$219,210.

(c) The estimated cost of said improvements or purposes is \$230,750, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of \$11,540, which is the down payment available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Warren make a contribution or grant in aid to the Township for the improvements or purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the

Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Township. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Township upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer of the Township is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Township is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Township and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.38 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$219,210 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$219,210. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1.

This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law. Motion was made by Mr. Ramos to open to first reading for introduction, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Second reading for adoption will be held on June 17, 2020.

**BUDGET:**

**2020-24 2020 MUNICIPAL BUDGET of the TOWNSHIP of FRELINGHUYSEN County OF WARREN for the fiscal year 2020**

	<u>Anticipated</u>	
<u>Summary of Revenues</u>	<u>2020</u>	<u>2019</u>
1. Surplus Anticipated General Revenues	\$ 421,819	\$ 396,819
2. Total Miscellaneous Revenue	348,505	333,603
3. Receipts from Delinquent Taxes	130,000	130,000
4. (a) Local Tax for Municipal Purposes	855,033	823,976
(b) Addition to Local District School Tax		
Total Amount to be Raised for Taxation	<u>855,033</u>	<u>823,976</u>
for Support of Municipal Budget		
<b>Total General Revenues</b>	<b><u>1,755,357</u></b>	<b><u>1,684,398</u></b>
		<b>Final</b>
<u>Summary of Appropriations</u>	<u>2020</u>	<u>2019</u>
	<u>Budget</u>	<u>Budget</u>
1. Operating Expenses		
Salaries & Wages	461,550	411,405
Other Expenses	443,026	442,054
2. Deferred Charges & Statutory Expenditures	81,544	75,568
3. Capital Improvements	15,000	15,000
4. Debt Service	296,788	287,850
5. Reserve for Uncollected Taxes	<u>457,449</u>	<u>452,521</u>
<b>Total General Appropriations</b>	<b>\$ <u>1,755,357</u></b>	<b>\$ <u>1,684,398</u></b>
Number of Employees	15	15

**Balance of Outstanding Debt:**

	<u>General</u>
Interest	\$ 43,707
Principal	\$ 248,281
Outstanding Balance	\$ 2,006,322

Notice is hereby given that the budget and tax resolution was approved by the Township Committee of the Township of Frelinghuysen, County of Warren, on March 18, 2020.

A hearing on the budget and tax resolution will be held at the Municipal Building on May 20, 2020, at 7:30 o'clock PM, at which time and place objections to the Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested persons. Motion was made by Mr. Boynton to open to the public, seconded by Mr. Ramos. Public comment: Mr. Connor asked what the increase would be for the residents. Ms. Dyer stated the increase was \$37.00 per assessed home for the municipal budget. Mr. Connor also asked if the committee has reconsidered to go back into the energy coop to help the residents that were in it save some extra money. He stated that it is no cost to the township and the residents that wanted to be in the coop have saved approximately \$16,000.00 when they were in the program. After discussion it was decided to add to the agenda for old business and discuss at a meeting later in the year as the township will need to wait a year before they can enter in again. There were no other comments from the public. Motion was made by Mr. Boynton to close to the public, seconded by Mr. McPeek. All were in favor. Motion was made by Mr. Boynton to adopt the 2020 budget, seconded by Mr. Ramos. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

**RESOLUTIONS:**

#2020-38 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF MAY 2020 WHEREAS, the Finance Committee of the Township of Frelinghuysen have reviewed the bills submitted by the Municipal Clerk to the Frelinghuysen Township Committee for the month of May 2020; and WHEREAS, the Finance Committee find the bills to be in order and recommend to the Township Committee that they be paid by the Chief Finance Officer.

NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that all bills submitted for the above named date are reasonable and proper and are to be paid from their appropriate account. Donna M. Zilberfarb, Municipal Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton		X	X			
Mr. Desiderio	X		X			
Mr. McPeek			X			
Mr. Ramos			X			
Mr. Stracco			X			

**#2020-39 A RESOLUTION OF THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN SUPPORTING THE ENACTMENT OF ASSEMBLY BILL NO. 3971 AND SENATE BILL NO. 2475 TO AUTHORIZE THE ISSUANCE OF CORONAVIRUS RELIEF BONDS BY MUNICIPALITIES AND COUNTIES** WHEREAS, municipalities and counties throughout New Jersey are facing unprecedented financial challenges, including significant loss of revenue and unanticipated spending, due to the ongoing COVID-19 State of Emergency and Public Health Emergency; and WHEREAS, without relief, local government may have to significantly reduce services and layoff personnel; and WHEREAS, in response to these conditions, Assemblymen Benson and Coughlin introduced A-3971 and Senator Singleton introduced S-2475, which authorizes local units to issue “coronavirus relief bonds” to allow them to borrow money, with a ten-year payback period, to cover shortfalls and unanticipated costs that are a direct result of the COVID-19 pandemic; and WHEREAS, such bonds will provide local units with the flexibility to ensure continuation of essential services. **NOW, THEREFORE BE IT RESOLVED**, by the Township of Frelinghuysen that it hereby affirms its support for the enactment of A-3971 and S-2475. **BE IT FURTHER RESOLVED** that the Clerk shall be directed to transmit a copy of this Resolution to the Governor, Senate President, Assembly Speaker and the legislative delegation of the 24<sup>th</sup> Legislative district. **CERTIFICATION** I, Donna Zilberfarb, Municipal Clerk of the Township of Frelinghuysen, do hereby certify the above to be a true copy of a resolution adopted by the Frelinghuysen Township Committee at their meeting of May 20, 2020. Donna M. Zilberfarb, RMC

Roll call vote:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton		X	X			
Mr. Desiderio			X			
Mr. McPeek			X			
Mr. Ramos	X		X			
Mr. Stracco			X			

**COMMITTEE REPORTS:**

Mayor Stracco discussed the route 94 property and asked legal if they could give us their fees or if those fees would come out of the sale of the property. Mr. Wacks stated that the legal fees would come out of the sale of the property and not the budget. There was no new information on the courts. Mr. Stracco also apologized for being gruff and short at times during meetings.

Mr. Ramos let the committee know that he has requested a zoom meeting, if possible, with service electric and seems to be in a holding pattern at this time. Mr. Ramos let the committee know that the concrete pads for the dugouts that were donated to the Township were donated by John Sayers and unfortunately, he passed away May 1<sup>st</sup> and he let the committee know that one of the dugouts will be dedicated to him.

Mr. Boynton met with Mr. Sterbenz and Mr. Ramos to discuss the salt shed. He also met with the plumber regarding the rec center electrical issues and they have determined that it is not the well pump switch. Mr. Desiderio gave him some suggestions of things to look into.

Mr. Desiderio didn’t feel that an apology was needed from the Mayor and felt that the Mayor is involved in the town whole heartedly.

Mr. McPeek discussed that with Covid19 going on that maybe a sign could be made for the North Warren seniors and the Frelinghuysen elementary 6<sup>th</sup> graders to get some appreciation out to those graduating and moving up. Mr. Ramos is making a sign for the 6<sup>th</sup> graders and



mentioned that Mr. Durling was doing something for North Warren. Mr. McPeek also thanked everyone that helped during the last couple of weekends for cleaning up around the buildings in the back.

Mr. Pachnos explained that the majority of cases in Frelinghuysen were from Forest Manor, as with all long term facilities within the State. There were 5 cases in town. He has had some complaints of PPE equipment being dumped on State Park Road near Forest Manor. He found one mask and that could have been from anyone. He discussed the private entities helping during this time providing hand sanitizer and masks – James Alexander being one of those. Mr. Boynton explained that he picks up garbage along State Park Road and Nick told him to be careful doing that and to assume that the ppe materials could be positive and to take photos of ppe collected and notify Mr. Pachnos. Mr. Stracco also added that we would most likely have virtual meetings through June but that 10 or less can hold meetings with adequate social distancing and that can commence for all other committees on June 1<sup>st</sup>.

Mr. Wacks complimented the committee on how well they are handling these virtual meetings. Mr. Belien discussed the OPRA case that had a complaint filed through the GRC in 2018 and explained that this case was withdrawn today. He also explained that he is waiting on information from the MEL for the handbook and that Covid will need to be added to this as well. He said to iron out the day to day stuff and add the mandatory things after. Mr. Stracco will look at a work session for discussion on the handbook.

Ms. Zilberfarb discussed her report with the committee and a copy is in the department reports. She mentioned the opening of townhall and is working with the Mayor and OEM, as well as, the surrounding towns. She is getting dutch doors for her office and the building office and trying to obtain supplies such as hand sanitizer, cleaning products, masks etc. Also discussed was primary elections that will be held on July 7<sup>th</sup> and is stated she is working with Marty Connor to see what will be needed for that date. Ms. Zilberfarb also mentioned Congressman Gottheimer holding a zoom meeting for anyone that completed their Gold or Eagle Scout Award this year. Jack Swistak took part in the meeting. He was the only resident that completed the award.

#### **OLD BUSINESS:**

Salt shed was discussed in Mr. Sterbenz report.

#### **NEW BUSINESS:**

- Mr. Sterbenz discussed the stormwater information that has been issued to the DEP and is currently working with Ms. Zilberfarb on this year's stormwater stuff. He met with Mr. Ramos and Mr. Boynton on how to improve the municipal complex and improve the plan that is more affordable for the town. He will make some modifications to save some money moving forward. Mr. Mcpeek asked if they still need to go through SHIPO and Mr. Sterbenz explained that the township does as public money is being spent in the Johnsonburg historic district. Mr. Sterbenz met with Mr. Stracco, Darlene Jay of Maser to discuss the Route 94 sale. He stated it is a favorable parcel of property and will update the committee.

Mr. Sterbenz discussed the Greendell Road Phase I project. He will submit plans and award the contract as soon as the Ordinance is adopted and the estoppel period passes. They will be doing 3500 linear feet worth of paving this round starting at Dark Moon Road. Discussion was made on the funding from the state and Mr. Sterbenz stated he has contacted his contact at the DOT and has not seen funding taken away that was awarded previously. He also stated that the 2021 local aid grant applications have a July 1<sup>st</sup> deadline and asked the committee to let him know which road to apply for next. Mr. Boynton will meet with Ms. Zilberfarb and the dpw and determine which road should be done for 2021 and get back to Mr. Sterbenz before the due date.

Mr. Desiderio asked about the speed limit on Silverlake Road and who do we ask to drop the speed limit on a county road. Mr. Sterbenz will reach out to the county Engineer and copy the clerk.

- Ms. Dyer discussed the 3 quotes for the lawn maintenance on the fields behind townhall. After discussion a motion was made by Mr. Desiderio to award Horticare at \$2,900.00, seconded by Mr. Ramos. All were in favor. Ms. Dyer will inform Horticare.

- A resident had phoned the township regarding speeding on Route 94, Truck braking, and street lights by Lincoln Laurel Road. The resident did not attend the meeting via zoom. The committee discussed the issues and the state police was notified of the speeding on Route 94 by Mr. Boynton. The truck braking was discussed and it is on a State Highway and the township can not impose truck braking. Mr. McPeek explained the braking system again to the committee emphasizing it is a safety issue to have it. There is no intention for this committee to move forward at this time. The street light was discussed and it would be at the town's cost and the town will not be putting up a light.

**DEPARTMENT REPORTS:**

**Motion was made by Mr. Ramos to hold all department reports, seconded by Mr. Boynton. All were in favor.**

- Ms. Zilberfarb asked if she could speak for dpw reports as she had a question. She asked if the township wanted to keep or put the old international single axle up for sale. After discussion, she will put the international on municipal bid for sale. She also asked Mr. Beilin if someone could purchase the broken plow and an old rake that will be going to the scrap yard as someone inquired and offered to purchase those two items. Mr. Beilin said they would have to go on municipal bid. After discussion, Ms. Zilberfarb will ask the person if they are interested and if they still are then she will place on municipal bid if not they will go to the scrap yard.

**OPEN MEETING TO THE PUBLIC:**

Motion was made by Mr. Ramos, seconded by Mr. Boynton to open meeting to the public limited to 20 minutes with 3 minutes per member of the public. All were in favor. Spoke were:

Mr. Connor thanked Ms. Zilberfarb for all the help she's given to himself and other members of committees to help them with the virtual meetings.

Motion was made by Mr. Boynton, seconded by Mr. McPeek to close to the public. All were in favor.

**EXECUTIVE SESSION:**

There was no Executive Session

**CORRESPONDENCE:**

- COVID19 Federal Funding to New Jersey Counties
- Warren County Planning Department – Public Hearing on Revision to WC Development Review Regulations
- The Land Conservancy of NJ – SADC Non-Profit Farmland Preservation Application
- Garden State Laboratories, Inc. – Report Analysis of Town hall and dpw garage
- Blairstown Hose Company – April Fire Report

**ADJOURNMENT:**

Mr. Stracco thanked everyone for attending this virtual meeting and added to stay safe.

There being no further business, motion was made by Mr. Boynton, seconded by Mr. McPeek to adjourn the meeting at 9:41 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC